

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION**

**RODDERICK DEYOUN
WIGGINS,**

Plaintiff,

v.

SHERIFF RON PUCKETT, *et al.*,

Defendants.

Case No. 5:19-cv-02003-LCB-SGC

MEMORANDUM OPINION

The Magistrate Judge entered a Report on January 25, 2022, recommending the court: 1) treat the special report filed by Sheriff Ron Puckett, Warden Aaron Dawson, and Corporal John Wright (the “Jail Defendants”) (Doc. 28) as a motion to dismiss to the extent it argues the plaintiff failed to exhaust his administrative remedies with respect to his conditions of confinement claims; 2) grant the motion; and 3) dismiss Plaintiff’s conditions of confinement claims with prejudice as unexhausted pursuant to 42 U.S.C. § 1997e(a). (Doc. 35). The Magistrate Judge further recommended the Court: 1) treat the special report filed by Director of Nursing Charlotte Turner and Nurse Naideen Clopton (Doc. 27) as a motion for summary judgment; 2) grant the motion; and 3) dismiss Plaintiff’s medical deliberate indifference claims against these Defendants with prejudice. (Doc. 35). Finally, the Magistrate Judge recommended that to the extent Plaintiff attempts to

assert a medical deliberate indifference claim against the Jail Defendants in their supervisory capacities, the Court dismiss that claim with prejudice, as well. (Doc. 35). Although the Court advised the parties of their right to file specific written objections within fourteen (14) calendar days, the court has not received any objections.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the court **ADOPTS** the report and **ACCEPTS** the recommendation. Accordingly, the court **ORDERS** that the defendants' motions are **GRANTED**.

DONE and **ORDERED** this February 16, 2022.

A handwritten signature in black ink, appearing to read 'L.C. Burke', is written over a horizontal line.

LILES C. BURKE
UNITED STATES DISTRICT JUDGE